

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

ATLAS DATA PRIVACY CORPORATION,
*as assignee of individuals who are Covered
Persons*, SCOTT MALONEY, JUSTYNA
MALONEY, and PETER ANDREYEV,

Plaintiffs,

vs.

FREEDOMSOFT303, LLC, RICHARD ROES
1-10, *fictitious names of unknown individuals*
and ABC COMPANIES 1-10, *fictitious names
of unknown entities*,

Defendants.

CIVIL ACTION NO. 1:25-cv-09224 (HB)

ANSWER

Defendant FreedomSoft 303, LLC (“Defendant”) by and through its undersigned attorneys,
and by way of answer to Plaintiffs’ Complaint, state as follows:

INTRODUCTION

1. This paragraph does not contain factual allegations requiring an admission or denial
by Defendant. To the extent a response is required, apart from admitting the existence of Daniel’s
Law, Plaintiffs are left to their proof.

2. Defendant cannot admit or deny what the Complaint “seeks,” and the remainder of
the paragraph contains generalized hyperbole to which no answer is required.

3. Any and all alleged misconduct by Defendant are denied.

4. The allegations of this Paragraph contain legal conclusions to which no answer

need be given. To the extent a response is required, the allegations are denied.

BACKGROUND

Passage of Daniel's Law in New Jersey

5. This Paragraph contains no allegations directed at Defendant.
6. This Paragraph contains no allegations directed at Defendant.
7. This Paragraph contains no allegations directed at Defendant.

New Jersey Passes Daniel's Law in 2020

8. The existence of Daniel's Law in New Jersey is admitted. The remainder of the Paragraph contains legal conclusions to which no answer need be given.

9. The provisions of Daniel's Law speak for themselves.
10. The provisions of Daniel's Law speak for themselves.
11. The provisions of Daniel's Law speak for themselves.

Congress Passes Daniel Anderl Judicial Security and Privacy Act in 2022

12. This paragraph does not contain factual allegations directed at Defendant requiring an admission or denial.

13. This paragraph does not contain factual allegations directed at Defendant requiring an admission or denial.

14. This paragraph does not contain factual allegations directed at Defendant requiring an admission or denial.

Violence Against Police Officers and Judges Has Not Stopped

15. This paragraph does not contain factual allegations directed at Defendant requiring an admission or denial.

16. This paragraph does not contain factual allegations directed at Defendant requiring

an admission or denial.

17. This paragraph does not contain factual allegations directed at Defendant requiring an admission or denial.

THE PARTIES

The Individual Plaintiffs

18. Defendant lacks sufficient information to either admit or deny the allegations of this Paragraph.

19. Defendant lacks sufficient information to either admit or deny the allegations of this Paragraph.

20. Defendant lacks sufficient information to either admit or deny the allegations of this Paragraph.

21. Defendant lacks sufficient information to either admit or deny the allegations of this Paragraph.

22. Defendant lacks sufficient information to either admit or deny the allegations of this Paragraph.

Plaintiff Atlas and its Assignors

23. Admitted that Atlas is a Delaware Corporation, otherwise denied.

24. The allegations contained in this Paragraph constitute legal conclusions to which no answer need be given.

25. Defendant lacks sufficient information to either admit or deny the allegations of this Paragraph.

26. Defendant lacks sufficient information to either admit or deny the allegations of this Paragraph.

27. Admitted that Atlas transmitted this request to Defendant.

28. Denied.

29. Defendant lacks sufficient information to either admit or deny the allegations of this Paragraph.

30. Defendant lacks sufficient information to either admit or deny the allegations of this Paragraph.

31. Defendant lacks sufficient information to either admit or deny the allegations of this Paragraph.

32. Defendant lacks sufficient information to either admit or deny the allegations of this Paragraph.

33. Defendant lacks sufficient information to either admit or deny the allegations of this Paragraph.

34. Defendant lacks sufficient information to either admit or deny the allegations of this Paragraph.

35. The allegations of this Paragraph do not require a response from Defendant, as it does not contain actual allegations.

36. The allegations of this Paragraph do not require a response from Defendant, as it does not contain actual allegations.

37. The allegations of this Paragraph do not require a response from Defendant, as it does not contain actual allegations.

Defendants

38. Admitted that Defendant is a Colorado limited liability company which provides information through its internet service, otherwise denied.

39. The allegations of this Paragraph do not require a response from Defendant, as it does not contain actual allegations.

40. Admitted that Defendant owns and operates the identified website.

41. Admitted that the business model of Defendant involves the sale of data and that the screenshot appears to be a screenshot of the tophap.com website, otherwise denied.

42. The provisions of Daniel's Law speak for themselves.

JURISDICTION AND VENUE

43. The allegations contained in this Paragraph constitute legal conclusions to which no answer need be given.

44. The allegations contained in this Paragraph constitute legal conclusions to which no answer need be given.

FACTS COMMON TO ALL COUNTS

45. The allegations contained in this Paragraph constitute legal conclusions to which no answer need be given.

46. The provisions of Daniel's Law speak for themselves.

47. The provisions of Daniel's Law speak for themselves.

48. The provisions of Daniel's Law speak for themselves.

49. The provisions of Daniel's Law speak for themselves.

50. The provisions of Daniel's Law speak for themselves.

51. The provisions of Daniel's Law speak for themselves.

52. The provisions of Daniel's Law speak for themselves.

53. Defendant lacks sufficient information to either admit or deny the allegations of

this Paragraph since the referenced email is incomplete.

54. Denied.

55. Denied.

56. Defendant lacks sufficient information to either admit or deny the allegations of this Paragraph.

57. This paragraph does not contain factual allegations directed at Defendant requiring an admission or denial.

58. The allegations contained in this Paragraph constitute legal conclusions to which no answer need be given.

COUNT ONE

(Daniel's Law)

59. Defendant repeats, realleges and incorporates by reference each and every allegation contained in the previous paragraphs as if fully set forth herein.

60. Admitted that Atlas sent a communication to Defendant, otherwise denied.

61. Denied.

62. Denied.

63. Denied.

64. Denied.

65. Denied.

WHEREFORE, Defendant FreedomSoft 303 demands judgment against Plaintiffs dismissing the Complaint in its entirety, together with interest, costs of suit, attorney's fees, and any additional relief permitted by law.

SEPARATE AFFIRMATIVE DEFENSES

First Affirmative Defense

Plaintiffs' allegations fail to set forth a cause of action upon which relief can be granted.

Second Affirmative Defense

Plaintiffs' allegations are barred by the common law doctrines of waiver and estoppel, since it failed to respond to the reasonable inquiries of Defendant relating to the alleged assignments.

Third Affirmative Defense

Plaintiffs' allegations are barred by the common law doctrines of waiver, estoppel, unclean hands and impossibility of performance due to the purposefully burdensome manner in which the deletion requests were transmitted *en masse* to Defendant, despite Plaintiffs having presumably acquired the alleged deletion requests over a period of time.

Fourth Affirmative Defense

Plaintiffs' claims are barred since the underlying statute violates the provisions of the Constitutions of the United States and the State of New Jersey, including those provisions relating to commercial free speech, individual free speech, and due process rights.

Fifth Affirmative Defense

Plaintiff's claims are barred for lack of standing.

Sixth Affirmative Defense

Plaintiff's claims are barred due to invalid assignment of claims.

Dated: July 1, 2025

CONSTANGY, BROOKS, SMITH & PROPHETE LLP

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